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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/802,280	03/17/2004	Yasuo Urata	227832

23460  
LEYDIG VOIT & MAYER, LTD  
TWO PRUDENTIAL PLAZA, SUITE 4900  
180 NORTH STETSON AVENUE  
CHICAGO, IL 60601-6780

CONFIRMATION NO. 3630

## FORMALITIES LETTER

\*OC000000012852558\*

Date Mailed: 06/03/2004



## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

08/04/2004 KHEKONEN 00000094 121216 10802280  
01 FC:1051 130.00 DA

AUG. 2. 2004 3:29PM LVM 312 616 5700

NO. 5687 P. 9 of 2

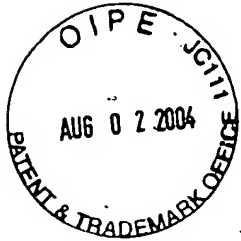
*A copy of this notice **MUST** be returned with the reply.*

P. Phuong

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



**PATENT**  
Attorney Docket No. 227832  
Client Reference No. JF-117US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

URATA et al.

Application No. 10/802,280

Group Art Unit: Unassigned

Filing Date: March 17, 2004

Examiner: Unassigned

For: METHOD FOR INCREASING THE  
BIOAVAILABILITY OF THE ACTIVE  
FORM OF S-[2-([1-(2-  
ETHYLBUTYL)CYCLOHEXYL]  
CARBONYLAMINO)PHENYL]2-  
METHYLPROPANETHIOATE

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Mail Stop Missing Parts  
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P.O. Box 1450  
Alexandria, VA 22313-1450

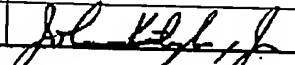
Dear Sir

Applicant(s) hereby respond(s) to the Notice to File Missing Parts of Application dated June 3, 2004.

The items checked below are appropriate:

**1. Status of Applicant**

This application is on behalf of ☒ other than a small entity or ☐ a small entity.

<b>CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8</b>			
I hereby certify that this Response and all accompanying documents are, on the date indicated below, <input type="checkbox"/> being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop , Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or <input checked="" type="checkbox"/> being facsimile transmitted to the U.S. Patent and Trademark Office, Facsimile Number (703) 746-4060.			
Name (Print/Type)	John Kilyk, Jr.		
Signature		Date	August 2, 2004

In re Appln. of URATA et al.  
Application No. 10/802,280

## 2. Documents Submitted Herewith

- a. ☒ Executed Declaration of inventor(s)  
b. ☐ Nucleotide and/or Amino Acid Sequence Submission:  
i. ☐ Computer Readable Form (CRF)  
ii. Specification Sequence Listing on:  
(1) ☐ CD-ROM or CD-R (2 copies); or  
(2) ☐ Paper Copy  
iii. ☐ Statement verifying identity of above copies  
c. ☐ Verified English translation of application  
d. ☒ Copy of the Notice to File Missing Parts of Application  
e. ☐ Substitute Drawings  
f. ☐ Other:

## 3. Application Filing Fee

- a. ☒ No application filing fee due  
b. ☐ Application filing fee due in amount calculated below:

APPLICATION FEES				
			BASIC FEE	\$ 770.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	- 20 =		× \$18.00	\$
Independent Claims	- 3 =		× \$86.00	\$
<input type="checkbox"/> Multiple Dependent Claims(s) if applicable			+ \$290.00	\$
Total of above calculations =				\$
Reduction by 50% for filing by small entity =				\$( )
Fee Already Paid =				\$( )
Fee Due =				\$

## 4. Late Filing of Oath or Declaration Surcharge

Pursuant to 37 CFR 1.16(e), the surcharge for filing this Response is for  
☒ other than a small entity or ☐ a small entity.

Fee Due \$ 130.00

## 5. Non-English Specification Surcharge

Pursuant to 37 CFR 1.17(i), the surcharge for submitting an English translation of the non-English specification is included.

Fee Due \$ 0.00

## 6. Extension of Time

- ☐ Applicant(s) petition(s) for a one-month extension of time under 37 CFR 1.136, the fee for which is \$110.00.  
☒ Applicant(s) believe(s) that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant(s)



In re Appln. of URATA et al.  
Application No. 10/802,280



has/have inadvertently overlooked the need for a petition and fee for extension of time.

**Fee Due** \$ 0.00

**7. Total Fee Due**

The total fee due is:

Application Filing Fee	\$ 0.00
Late Filing of Declaration Surcharge	\$130.00
Non-English Specification Surcharge	\$ 0.00
Extension of Time Fee	\$ 0.00

**Total Fee Due: \$130.00**

**8. Fee Payment**



Attached is a check in the sum of \$




Charge Account No. 12-1216 the sum of \$130.00. A duplicate of this transmittal is attached.

**9. Fee Deficiency**



If any additional fee is required in connection with this communication, charge Account No. 12-1216. A duplicate of this transmittal is attached.

  
John Kilyk, Jr., Reg. No. 40,763  
LEYDIG, VOIT & MAYER, LTD.  
Two Prudential Plaza, Suite 4900  
180 North Stetson Avenue  
Chicago, Illinois 60601-6780  
(312) 616-5600 (telephone)  
(312) 616-5700 (facsimile)

Date: August 2, 2004

Missing Parts Response (Revised 2004 02 07)